

SN 10/612,330, filed July 2, 2003

Amendment of August 17, 2007

Response to Office Actions of April 9, 2007 and August 6, 2007

**REMARKS**

The foregoing claim amendments are made to obviate essentially all of the objections set forth in Paragraphs 15-31 of the Office Action of April 9, 2007. Two additional comments in this regard are appropriate.

First, applicants believe the examiner's objection to claim 23 in Paragraph 28 of that Office Action is not well taken, as "said bipolar metal member" finds clear antecedent support four lines above in the same claim.

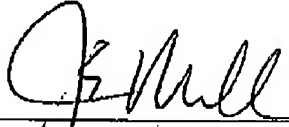
Second, with respect to the objection raised in Paragraphs 29 and 30 of the Office Action, claims 27 and 29 now refer to "an electrode layer" rather than "the electrode layer." Applicants believe "an electrode layer" finds clear antecedent support in claim 23 which refers to first and second electrode layers forming an anode and cathode, respectively.

Also filed with this Amendment is a statement by the assignee under 37 C.F.R. §1.48(b), requesting that the name of Sandeep Chawla be deleted from the list of inventors of this application. This should obviate all prior art rejections.

Concerning the requirement for a new oath, applicants respectfully request that this requirement be waived. The reason for this request is that, in the context of 37 C.F.R. §1.63(a)(4), "original" is synonymous with "first." That is to say, the statement that an individual is "a first inventor" subsumes the statement that the individual is the "original inventor," because it is metaphysically impossible for an individual to be a "first inventor" without also being an "original inventor." Since the inventors have already declared themselves to be the first inventors, they necessarily have also declared themselves to be the original inventors *a priori*. Applicants further note that the current oath was thoroughly reviewed by the petitions branch of the PTO during prosecution of the parent application and not found wanting.

Respectfully Submitted,

Date: 8/17/07

  
\_\_\_\_\_  
John E. Miller, Reg. No. 26,206  
Calfée, Halter & Griswold LLP  
Customer No. 24024  
Phone: 216-622-8200